

AMENDMENT UNDER 37 C.F.R. §1.111
U.S. Appln. No. 10/673,450

REMARKS

In the present Amendment, the recitations of dependent claims 2 and 7 have been incorporated into independent claims 1 and 6, respectively. Claims 2 and 7 have been canceled, accordingly. Upon entry of the amendments, which is respectfully requested, claims 1, 3-6, and 8-10 will be pending.

In Paragraph No. 4 of the Action, claims 1-10 are rejected under 35 U.S.C. § 102(b) as allegedly being anticipated by Takata et al (US 6,143,471).

Applicants submit that this rejection should be withdrawn because Takata et al '471 does not disclose or render obvious the infrared sensitive composition or the lithographic printing plate precursor of the present invention.

As recited in independent claim 1, the present invention relates to an infrared sensitive composition which comprises:

- (A) an alkali-soluble resin having a phenolic hydroxyl group;
- (B) a light-heat converting substance; and
- (C) a leucohydroxy dye.

The leucohydroxy dye is represented by formula (I) set forth in the claim.

Independent claim 6 is drawn to a lithographic printing plate precursor which includes a support and an image-forming layer, where the image-forming layer includes the same infrared sensitive composition as recited in independent claim 1.

The Examiner states that Takata et al teach a positive type photosensitive composition comprising a support and a recording layer containing an alkaline developer soluble polymer, a

AMENDMENT UNDER 37 C.F.R. §1.111
U.S. Appln. No. 10/673,450

near infrared ray absorbing dye, a dihydropyridine having a specific structure, a pyrylium salt, a carbamate, a carbinol and a pinacol (abstract; column 3, line 3 to column 7, line 25). Per the Examiner, the alkaline developer soluble polymer is used in an amount of 40% to 95% (column 30, lines 46-52). The Examiner states that the infrared absorbing compound is used in an amount of 1% to 60% by weight (column 21, lines 48-54). Per the Examiner, specific examples of the carbinol include compounds (VIII-1) - (VIII-5) (column 21, line 50 to column 23, line 43) all of which allegedly meet the present limitations for the leucohydroxy dye. The Examiner states that the carbinol compounds are used in an amount of 0.5% to 30% by weight (column 31, lines 10-16).

With due respect, there is an error in the Examiner's characterization of Takata et al '471. That is, the Examiner states that the carbinol compounds VIII-1 through VIII-5 disclosed in Takata et al meet the present limitations for the leucohydroxy dye. Applicants do not dispute that, broadly speaking, these compounds are a leucohydroxy dye within the meaning of original claims 1, 3-6 and 8-10. However, the Examiner is not correct insofar as original claims 2 and 7 are concerned. These claims -- the recitations of which are incorporated into original claims 1 and 6, respectively, in the present Amendment -- state that the leucohydroxy dye is a compound represented by formula (I) shown in the claims. The compounds cited by the Examiner do not satisfy the claim recitation that "when at least one of Ar₁ and Ar₂, or Y is an aryl group, at least one of Ar₁, Ar₂ and Y has as a substituent a hydroxy group, an amino group, a monoalkylamino group or a dialkylamino group at the ortho or para position." None of the compounds cited by the Examiner satisfy this recitation. Further, while the broad description of formula (VIII) at

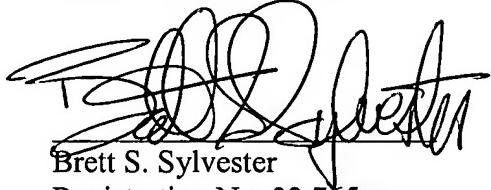
AMENDMENT UNDER 37 C.F.R. §1.111
U.S. Appln. No. 10/673,450

column 6, lines 48 et. seq. of Takata et al might broadly include such compounds, the description is so generic as to not fairly suggest or teach the compounds of present formula (I).

In view of the above, Applicants submit that the rejection of claims 1-10 based on Takata et al '471 should be reconsidered and withdrawn.

Allowance is respectfully requested.

Respectfully submitted,



Brett S. Sylvester
Registration No. 32,765

SUGHRUE MION, PLLC
Telephone: (202) 293-7060
Facsimile: (202) 293-7860

WASHINGTON OFFICE
23373
CUSTOMER NUMBER

Date: June 9, 2005